

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

In the Matter of:)	
)	
DERREK MCCREE, SR.,)	Case No. 16-30971
SSN: xxx-xx-3027)	
)	Chapter 13
Debtor(s).)	

**MOTION FOR RELIEF FROM AUTOMATIC STAY AND CO-DEBTOR
STAY OF SECTION 362 (a)**

JPMORGAN CHASE BANK, N.A. ("Creditor") respectfully moves the Court as follows:

1. Derrek McCree, Sr. filed a petition in the United States Bankruptcy Court for the Middle District of Alabama on April 15, 2016.
2. Co-debtor, Patricia Davis Butler, is a co-signer on the Retail Installment Sale Contract.
3. On January 5, 2015, the Debtor(s) executed a Retail Installment Sale Contract purchasing a 2013 Ford Explorer with the V.I.N. of 1FM5K7B98DGB59345. A copy of the Retail Installment Sale Contract and Certificate of Title is attached as Exhibit "A."
4. The Debtor and Co-debtor failed to make the payments required by the Retail Installment Sale Contract as set forth in the affidavit attached hereto as Exhibit "B."
5. Under the terms of the Retail Installment Sale Contract, Creditor retains an interest in the collateral that is superior to the interest of the Trustee. There is no value in the Vehicle above the indebtedness owed to Creditor.
6. JPMorgan Chase Bank, N.A.'s interests are not adequately protected under these circumstances.

WHEREFORE, PREMISES CONSIDERED, JPMorgan Chase Bank, N.A. prays this Honorable Court for an Order granting its above and foregoing motion, and for such further and other relief as this Court deems proper.

Respectfully submitted on this 4th day of August, 2016.

/s/Hunter J. Tate
Joshua B. White
Hunter J. Tate
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CERTIFICATE OF SERVICE

I certify that a copy of this document has been served upon the Debtor, Derrek McCree, Sr., 1867 Gatewood Drive, Montgomery, AL 36106, and Co-Debtor, Patricia Davis Butler, 1867 Gatewood Drive, Montgomery, AL 36106, by U.S. mail postage prepaid and properly addressed, and the attorney of record for Debtor, Joshua C. Milam, jmilam@smclegal.com, and on the trustee of record, Curtis C. Reding, ch13montgomery@ch13mdal.com, electronically through the Court's electronic filing system.

Dated this 4th day of August, 2016.

/s/Hunter J. Tate
Joshua B. White
Hunter J. Tate